



General Assembly

Amendment

January Session, 2009

LCO No. 8384

HB0659208384SD0

Offered by:

SEN. STILLMAN, 20th Dist.

REP. GIULIANO, 23rd Dist.

To: Subst. House Bill No. 6592

File No. 316

Cal. No. 583

"AN ACT AMENDING THE CHARTER OF THE LORD'S POINT ASSOCIATION."

1 After the last section, add the following and renumber sections and
2 internal references accordingly:

3 "Sec. 501. Section 1 of number 467 of the special acts of 1943, as
4 amended by section 1 of number 338 of the special acts of 1945, is
5 amended to read as follows (*Effective from passage*):

6 The owners of record of land within the limits specified in section
7 [two of this act] 2 of number 467 of the special acts of 1943, as amended
8 by this act, in the locality known as Cornfield Point in the town of Old
9 Saybrook, shall be, while they continue to be owners of such land, a
10 body politic and corporate by the name of The Cornfield Point
11 Association, and by that name they and their successors shall be a
12 corporation in law, capable of suing and being sued, and pleading and
13 be impleaded in all courts, and shall be vested with the powers
14 hereinafter specified. Each member of the association, of the age of

15 [twenty-one] eighteen years or over, not otherwise prohibited by law
16 from voting, so long as he shall continue to own real estate in said
17 territory, shall be entitled to vote at any meeting of said association
18 and shall be eligible to hold any office therein. [Husbands and wives
19 of] Spouses of and parties to civil unions with said owners who are not
20 also owners shall be members of said association but shall not be
21 empowered to vote at any meeting of said association except in the
22 absence of said owners. All owners of any interest in any particular lot
23 or parcel of real estate shall be considered as one owner for the
24 purpose of voting and shall be entitled collectively to cast one
25 undivided vote. The association may provide for voting by absentee
26 ballot in the by-laws of the association.

27 Sec. 502. Section 2 of number 467 of the special acts of 1943 is
28 amended to read as follows (*Effective from passage*):

29 The limits of [said association] The Cornfield Point Association shall
30 be that part of the town of Old Saybrook known as Cornfield Point,
31 consisting of all lots or parcels of land as shown on the map of
32 Cornfield Point Beach Club made for James J. Smith Company of Old
33 Saybrook and New York City by Daball and Crandall, dated
34 November, 1922, which map is on file in the office of the town clerk of
35 the town of Old Saybrook. Said territory is bounded as follows:
36 Beginning at a point in the high water line of Long Island Sound at the
37 northwest corner of property formerly owned by F. W. McLean and
38 adjoining Plum Bank, thence in a southerly direction along Long
39 Island Sound to the point of land known as Lot No. 538 on said map;
40 thence in an easterly direction along Long Island Sound to the easterly
41 line of Lot No. 210; thence northerly along the easterly line of said lot
42 to center line of Maple Avenue; thence along center line of Maple
43 [avenue] Avenue in a northwesterly direction to central line of
44 Summerfield [road] Road; thence along central line of Summerfield
45 [road] Road in a northwesterly direction to Plum Bank [creek] Creek;
46 thence in a westerly direction along Plum Bank [creek] Creek to a town
47 ditch; thence continuing in a westerly direction to state highway No.
48 154; thence across said highway in a westerly direction to the easterly

49 line of property of F. W. McLean; thence northerly along the easterly
50 line of F. W. McLean; thence westerly along the northerly line of said
51 McLean to the point of beginning.

52 Sec. 503. Section 6 of number 467 of the special acts of 1943 is
53 amended to read as follows (*Effective from passage*):

54 [Notice of the time and place of said first meeting shall be signed by
55 three of the persons named in section five and shall be sent by mail to
56 each member of the association at least five days before the time
57 appointed for said meeting. Said board of governors shall be elected by
58 a plurality of the ballots cast at said meeting and the polls for the
59 reception of such ballots shall be open from twelve o'clock noon until
60 four o'clock in the afternoon on such appointed day.] At each annual
61 meeting of the Cornfield Point Association, there shall be elected to the
62 board of governors three members to serve three years until their
63 successors are chosen. The board of governors shall be elected by a
64 plurality of the ballots cast at said meeting. Any member of said board,
65 who shall cease to have membership in said association within the
66 meaning of this act, shall automatically cease to be a member of said
67 board of governors. The board of governors is authorized to fill all
68 vacancies on said board until the next annual meeting, at which time
69 the members of the association shall elect a member to the board for
70 the unexpired portion of the term.

71 Sec. 504. Section 7 of number 467 of the special acts of 1943, as
72 amended by section 1 of special act 74-29 and section 1 of special act
73 79-80, is amended to read as follows (*Effective from passage*):

74 Annual meetings [thereafter] of the members of the Cornfield Point
75 Association shall be held on the third Saturday in June, [except that
76 after July 1, 1980, such meetings shall be held during June,] Such
77 meeting shall be at such time and place within the limits of [said
78 association] the town of Old Saybrook as the board of governors may
79 direct. [Any vacancy occurring in the membership of said board of
80 governors, between annual meetings of the association, shall be filled

81 by a majority of the remaining members of the board until the next
82 annual meeting, at which time the members of the association shall
83 elect as above prescribed a member of the board for the unexpired
84 portion of the term] Notice of the time and place of such meeting,
85 along with the agenda, shall be sent by mail to each member of the
86 Cornfield Point Association at least fifteen business days before the
87 time appointed for said meeting.

88 Sec. 505. Section 8 of number 467 of the special acts of 1943 is
89 amended to read as follows (*Effective from passage*):

90 The board of governors of the Cornfield Point Association shall
91 consist of nine members and such board shall elect from its members a
92 president and a vice president. [, and there shall be elected] The
93 members of the association shall elect from the association
94 membership [a] at the annual meeting or the board shall elect, if there
95 is no election by the association, the following: A secretary, a treasurer
96 and [an assistant treasurer] a tax collector for a term of three years. The
97 president shall preside over all meetings of the board and the
98 association and shall be the chief executive of the association. In the
99 absence of the president, the vice president or secretary or treasurer
100 shall preside. The secretary shall sign all warnings, notices, order and
101 by-laws and shall keep a record of all action of said board and of said
102 association. The treasurer shall keep an account of all moneys received
103 and paid out and shall render a report at each annual meeting. [The
104 assistant treasurer] An acting treasurer, appointed by the board from
105 the membership, shall have all the powers of the treasurer in the
106 absence of said treasurer. If the acting treasurer is also a board
107 member, the acting treasurer shall retain the powers of a board
108 member. The treasurer or acting treasurer shall [furnish] provide a
109 bond in such amount as the board of governors shall, from time to
110 time, determine, the premium on said bond to be paid by the
111 association.

112 Sec. 506. Section 9 of number 467 of the special acts of 1943, as
113 amended by section 2 of special act 79-80, is amended to read as

114 follows (*Effective from passage*):

115 The fiscal year of the association shall be from [June] July first in one
116 year to [May thirty-first] June thirtieth in the succeeding year, both
117 dates inclusive. [except that, beginning on July 1, 1980, the fiscal year
118 of the association shall be from July first in one year to June thirtieth in
119 the succeeding year, both dates inclusive. The association may adopt a
120 fiscal period of from June 1, 1980, to June 30, 1980, both dates inclusive,
121 to facilitate the change in fiscal years, and shall otherwise comply with
122 the provisions of chapter 110 of the general statutes. The association
123 shall meet during June, 1980, for the fiscal year beginning July 1, 1980.]

124 Sec. 507. Section 11 of number 467 of the special acts of 1943 is
125 amended to read as follows (*Effective from passage*):

126 Notice of the annual [and special meetings] meeting of the
127 [association] Cornfield Point Association shall be signed by the
128 president or secretary and [may be] given by mail. [or personally. In
129 case they are given by mail, written] Written notice of the time and
130 place of such meetings shall be sent at least [five] fifteen business days
131 before the time appointed by law, mailed in Connecticut and
132 addressed to each member of said association at his last-known place
133 of abode. Notice of all board meetings shall be posted on the bulletin
134 board in front of the club house.

135 Sec. 508. Section 10 of number 467 of the special acts of 1943 is
136 amended to read as follows (*Effective from passage*):

137 Special meetings of the [association] Cornfield Point Association
138 may be called by the president and shall be called at the written
139 request of any twenty members thereof by the president or secretary,
140 who shall, within [five] fifteen business days after receipt of any such
141 request, cause notice thereof to be given, provided notice of any special
142 meeting shall specify the object for which such meeting is called.

143 Sec. 509. Section 13 of number 467 of the special acts of 1943, as
144 amended by number 56 of the special acts of 1949, number 10 of the

145 special acts of 1957, section 2 of special act 74-29, special act 76-36, special
146 act 87-58 and special act 89-35, is amended to read as follows (*Effective*
147 *from passage*):

148 The board of governors of the Cornfield Point Association shall
149 prepare and submit to said association at each annual meeting a budget
150 and recommend [an] a tax assessment for the purpose of and based upon
151 said budget, but not to exceed five hundred dollars on each lot of land
152 having a dwelling or cottage thereon located within the limits of the
153 association, and not to exceed one hundred dollars on each vacant lot
154 located within the limits of said association, as the same shall appear of
155 record on October first preceding. Said association shall have the power
156 to decrease said budget and rate of tax assessment recommended by said
157 board of governors, but in no case shall it have the power to increase the
158 budget and rate of tax assessment. The rate of tax assessment
159 recommended by the board of governors shall be final unless decreased
160 by the association at such annual meeting. The [treasurer] tax collector of
161 said association shall collect such tax assessments and a [rate book] tax
162 record shall be [made out] kept and signed by the [clerk] secretary of
163 said association on or before the [second] first Saturday of [July] October
164 in each year and warrants may be issued for the collection of money due
165 on the [rate] annual bills, pursuant to the provisions of section [168f of
166 the 1941 supplement to] 12-145 of the general statutes. Such tax
167 assessment shall be a lien upon the property upon which it shall be laid
168 and such lien may be continued by certificate and shall be recorded on
169 the land records of the town of Old Saybrook pursuant to the provisions
170 of the general statutes relating to continuance of tax liens.

171 Sec. 510. Section 14 of number 467 of the special acts of 1943 is
172 amended to read as follows (*Effective from passage*):

173 Written notice of the rate of such tax assessment and of the amount
174 apportioned to each member of the [association] Cornfield Point
175 Association shall be sent by the [treasurer] tax collector within ten days
176 from the laying of such tax assessment, and such tax assessment shall
177 be due and payable on July [twenty-first] first in each year. [and if] If

178 such tax assessment is not paid [when due] on or before July thirty-
179 first, it shall bear interest at the rate [of five-tenths of one percent for
180 each month from the date when so payable] specified in section 12-146.

181 Sec. 511. Section 17 of number 467 of the special acts of 1943 is
182 amended to read as follows (*Effective from passage*):

183 The restrictions, at the time of the passage of [this act] number 467
184 of the special acts of 1943, as amended, applying to property within the
185 limits of the [association] Cornfield Point Association as noted in deeds
186 shall remain in force until changed as hereinafter provided, but in no
187 case shall such restrictions be removed prior to the date provided in
188 such deeds. The existing restrictions contained in deeds may be
189 extended in time from the date of expiration thereof, but nothing
190 herein shall be construed as authorizing the board of governors or the
191 association to change restrictions in deeds. [The board of governors
192 shall appoint a member of the association, whose duty it shall be to
193 inspect all plans for proposed buildings, and from time to time inspect
194 such buildings during process of erection to determine their
195 conformance to the restrictions and by-laws. Appeals from the rulings
196 of said building inspector may be taken to the board of governors.
197 Property owners seeking approval of such plans shall pay a fee of one
198 dollar at the time such approval shall be given. Failure to build to
199 plans as approved shall constitute a violation of the by-laws and
200 regulations of said association, and the board of governors may
201 petition any court having jurisdiction to direct the demolition of that
202 part of the structure erected contrary to such approved plans and the
203 erection in lieu thereof of the building conforming to the approved
204 plans.]

205 Sec. 512. Section 18 of number 467 of the special acts of 1943 is
206 amended to read as follows (*Effective from passage*):

207 If any provision of the by-laws or regulation or ordinances adopted
208 by The Cornfield Point Association shall conflict with any provision of
209 any lawful ordinance of the town of Old Saybrook, the ordinance of

210 said town shall prevail and supersede the by-law or regulation of said
211 association. Any tax liens levied by said town of Old Saybrook on
212 property within the limits of The Cornfield Point Association shall
213 have priority over any liens for tax assessments levied on the same
214 property by said association.

215 Sec. 513. (*Effective from passage*) Section 4 of number 467 of the
216 special acts of 1943 and section 5 of the special acts of 1943, as
217 amended by section 2 of number 338 of the special acts of 1945, are
218 repealed."